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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,300	01/15/2002	Yen-Ming Chen	67,200-571	9622

7590 05/30/2003
TUNG & ASSOCIATES
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Bloomfield Hills, MI 48302

EXAMINER

TRAN, MAI HUONG C

ART UNIT	PAPER NUMBER
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2818

DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

P.S.

Office Action Summary

Application No.

10/050,300

Applicant(s)

CHEN ET AL.

Examiner

Mai-Huong Tran

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

Election/Restriction

Applicant's election with traverse of Group I (claims 9-16 in Paper No. 4 drawn to a semiconductor device is acknowledged. Accordingly, claims 1-8 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Because Applicant did not distinctly and specifically point out the supposed error in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Applicant has the right to file a divisional application covering the subject matter of the non-elected claims.

The traversal is on the ground(s) that see the election paper. This is not found persuasive because the fields of search for method' and device claims are NOT coextensive and the determinations of patentability of method and device claims are different, that is process limitations and device limitations are given weight differently in determining the patentability of the claimed inventions. Also, the strategies for doing text searching of the device claims and method claims are different. Thus, separate searches are required.

The requirement is still deemed proper and is therefore made **FINAL**.

Drawings

The drawings are objected to for the following reasons.

Reference sign 17 is not included in figure 3. Correction is required.

Reference sign 20 is not included in figures 4 and 5. Correction is required.

Applicant is required to submit a proposed drawing correction, showing changes in red ink, in response to this Office action. However, formal correction of the noted defect(s) can be deferred until the application is allowed by the examiner (see MPEP § 608.02v).

Specification

The specification is objected to for the following reasons.

The specification includes incorrect reference sign 'peripheral region **R1**' on page 17, line 3. It should be 'peripheral region **R2**'. Correction is required.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 6,555,460 to Farnworth in view of the remark.

Regarding to claim 9, Farnworth discloses a microelectronic fabrication comprising a substrate 1004; a bond pad 1002 formed over the substrate 1004; a conductor passivation layer 1016 formed upon the bond pad 1002 as set forth in col. 4, lines 10-52, and fig. 2h. Farnworth does not disclose the bond pad being formed of a conductor material selected from the group consisting of aluminum and aluminum alloy conductor materials; the conductor passivation layer formed of a noble metal conductor material.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a bond pad being formed of a conductor material selected from the group consisting of aluminum and aluminum alloy conductor materials; the conductor passivation layer formed of a noble metal conductor material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

Claims 10 and 14 are rejected under the same rationale set forth above to claim 9.

Claims 11 and 15 is rejected under the same rationale set forth above to claim 9.

Claims 12 and 16 are rejected under the same rationale set forth above to claim 9.

Regarding to claim 13, Farnworth discloses an optoelectronic microelectronic fabrication comprising a substrate 1004 employed within an optoelectronic microelectronic fabrication; a bond pad 1002 formed over the substrate 1004; a conductor passivation layer 1016 formed upon the bond pad 1002 as set forth in col. 4, lines 10-52, and fig. 2h. Farnworth does not disclose the bond pad being formed of a conductor material selected from the group consisting of aluminum and aluminum alloy conductor materials; the conductor passivation layer formed of a noble metal conductor material.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a bond pad being formed of a conductor material selected from the group consisting of aluminum and aluminum alloy conductor materials; the conductor passivation layer formed of a noble metal conductor material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.


HOAI HO
PRIMARY EXAMINER

Art Unit: 2818

Conclusion

Any inquiry concerning this communication on earlier communications from the examiner should be directed to Mai-Huong Tran, (703) 305-1958. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM. The examiner's supervisor, David Nelms can be reached on (703) 308-4910.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9318. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


Mai-Huong Tran
HOAI HO
PRIMARY EXAMINER